

US District COURT, STATE OF Massachusetts, COUNTY OF _____Wellesley Leasing, LLC

VS

Telx Communications CorporationSHERIFF'S OFFICE
AFFIDAVIT OF SERVICE

Docket # _____

Sheriff's Case No. May-1874STATE OF NEW YORK }
COUNTY OF NEW YORK } SS:

ANTONIO NIEVES, being duly sworn, affirms that he is a Deputy Sheriff of the City of New York, being over the age of eighteen years, is not a party to this action or proceeding and served the annexed Summons & Complaint in the above titled action or proceeding on the 20 day of Sept 2004 at approximately 1615 a.m./p.m., at 17 State St 33 FL, in the borough of Manhattan, County of New York. Service was made upon Telx Communication Corp., the defendant/respondent in the following manner:

- PERSONAL SERVICE ☐ By delivering to and leaving with the above named defendant/respondent personally a true copy thereof, said person being known as the person mentioned and described herein
- ALTERNATE PERSON ☐ By delivering to and leaving a true copy thereof with _____ a person of suitable age and discretion, who is _____ to the defendant/respondent. Said address is the dwelling place/place of business of the party served.
- AFFIXED TO PREMISES ☐ By affixing a true copy thereof to the door of the above mentioned address, said address being the dwelling place/place of business of the defendant/respondent.
- MAILED ☐ By mailing a true copy thereof in a plain white envelope marked "PERSONAL & CONFIDENTIAL" to the defendant/respondent to his/her last known address at _____
- CORPORATION ☒ By delivering to and leaving with, Rory J. Cutia a true copy thereof said person stated he/she is the Executive officer, an agent authorized to accept service of legal process
- STATUTORY FEE ☐ At the time of service, a statutory fee of \$ _____ was also left with the person mentioned and described herein.
- OTHER: ☒ note: Rory J. Cutia - states his company is no longer Telx Comm. Group - it is now Telx Group Inc.
- DESCRIPTION ☒ The person served is a (☒ Male () Female and approximately Age 45 Height: 5'7" Weight: 175 Skin: white Hair: Brown

NOTARY

Sworn to (affirmed) before me this
23 day of September, 2004LUIS D. FELICIANO
Notary Public, State of New York
No. 02FE6037555
Qualified in Bronx County
Commission Expires Feb. 2, 2006Antonio Nieves
ANTONIO NIEVES
DEPUTY SHERIFF
(212) 227-9172

United States District Court

DISTRICT OF

WELLESLEY LEASING, LLC,
Plaintiff

SUMMONS IN A CIVIL ACTION

v.

CASE NUMBER:

TELX COMMUNICATIONS CORPORATION,
Defendant

04 11814 WGY

TO: (Name and Address of Defendant)

Telx Communications Corporation
17 State Street, 33rd Floor
New York, NY 10007

Att: Rory J. Cutaia, Chief Executive Officer

YOU ARE HEREBY SUMMONED and required to file with the Clerk of this Court and serve upon

PLAINTIFF'S ATTORNEY (name and address)

Richard J. O'Brien, Esquire
75 North Street, Suite 310
Pittsfield, MA 01201

an answer to the complaint which is herewith served upon you, within twenty (20) days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.

TONY ANASTAS

CLERK

BY DEPUTY CLERK



AUG 19 2004

DATE